



State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

FEB 28 2005

TO: CALIFORNIA CONFERENCE OF LOCAL HEALTH OFFICERS
CALIFORNIA CONFERENCE OF LOCAL AIDS DIRECTORS
COUNTY HEALTH EXECUTIVES ASSOCIATION OF CALIFORNIA
HIV EDUCATION AND PREVENTION COORDINATORS
HIV COUNSELING AND TESTING COORDINATORS

SUBJECT: SENATE BILL 1159

As you are maybe aware, Senate Bill (SB) 1159 (Vasconcellos, Statutes of 2004) became effective January 1, 2005. The legislation allows for the creation of the Disease Prevention Demonstration Project (DPDP) in participating local health jurisdictions (LHJs). The authorization permits pharmacies to sell syringes without a prescription to individuals over 18 years of age. Walgreens recently sent a letter to the Department of Health Services, Office of AIDS (DHS/OA) stating its intention to "encourage all of [its] pharmacies to participate." Please see the enclosed copy of the letter.

Many LHJs have already taken action to expand syringe access. Contra Costa and Yuba Counties authorized DPDP in January 2005. Other LHJs currently planning for authorization include Santa Barbara, Sacramento, Santa Cruz, Alameda, San Francisco, Mendocino, Solano, Marin, and Los Angeles.

SB 1159 requires DHS/OA to conduct an extensive evaluation of DPDP, the results of which are to be reported to the Legislature in 2010. The evaluation will be a collaborative effort which will reflect the work of DHS/OA, community members, pharmacists, consumers, waste management officials, community-based organizations, researchers, and law enforcement officials. DHS/OA is in the process of creating an evaluation advisory panel that will provide guidance for those LHJs interested in participating in various aspects of the evaluation.

SB 1159 leaves authorization and implementation of DPDP to individual LHJs that decide to opt-in, and neither requires nor provides funding for state oversight of its execution. However, DHS/OA has received numerous inquiries from LHJs requesting assistance with DPDP, and two staff at DHS/OA are currently assisting LHJs with questions on SB 1159 implementation and evaluation. Ms. Alessandra Ross, the Injection Drug Use Program Specialist, is currently surveying individuals and groups working on

PLEASE NOTE NEW P.O. BOX:

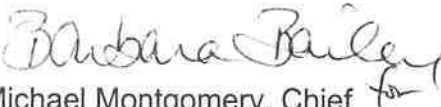
MS 7700, P.O. Box 997426, Sacramento, CA 95899-7426
1616 Capitol Avenue, Suite 616, Sacramento, CA 95814
Telephone: (916) 449-5900 / Fax: (916) 449-5909
Internet Address: www.dhs.ca.gov/AIDS

California Conference of Local Health Officers
California Conference of Local AIDS Directors
County Health Executives Association of California
HIV Education and Prevention Coordinators
HIV Counseling and Testing Coordinators
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SB 1159 to discover what technical assistance they need and what they can offer. She is working to link people who are doing Injection Drug User-related work in different parts of the state. Ms. Ross can be reached at (916) 449-5796 or aross@dhs.ca.gov. Mr. Tom Stopka, Research Scientist, is spearheading the evaluation component of DHS/OA's effort. He can be reached at (916) 449-5828 or tstopka@dhs.ca.gov.

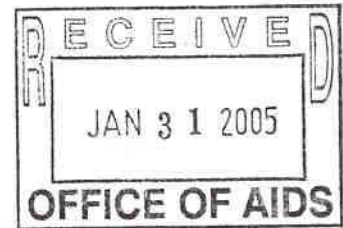
Additional information about SB 1159 can be found on the web site of the Center for Health Improvement at www.chipolicy.org. Follow the link on the front page to SB 1159. The web site includes letters of support for syringe availability, and copies of the resolutions of both Contra Costa and Yuba Counties.

Please do not hesitate to contact DHS/OA if we can be of any assistance as you and your colleagues contemplate authorization, implementation, and evaluation of this important public health initiative.


Michael Montgomery, Chief *for*
Office of AIDS

cc: Ms. Alessandra Ross
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January 14, 2005

Michael Montgomery, Chief
CA Department of Health Services
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RE: Walgreens intention to participate in pharmacy sale of syringes

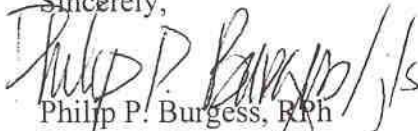
Dear Mr. Montgomery;

Walgreens was a strong proponent of SB 1159, the legislation signed by Gov. Arnold Schwarzenegger that will allow pharmacies to sell up to ten syringes to an adult without prescription (pursuant to local authorization). In any city or county that authorizes non-prescription sale, Walgreens intends to encourage all of our pharmacies to participate.

We will not however mandate participation, believing that each Pharmacy Manager needs to make that decision based on his or her best judgment. I expect, however, that most (if not all) of our outlets will cooperate with local health departments to implement the life-saving strategies authorized by SB 1159.

I ask that you forward this letter to local health jurisdictions and policymakers to support implementation of SB 1159. Feel free to contact me, if I can be of further assistance.

Sincerely,


Philip P. Burgess, RPh
National Director, Pharmacy Affairs
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cc: State Senator John Vasconcellos (retired)
Glenn Backes, Drug Policy Alliance
Anne Lindsay, California Health Officers Association